

Dear WEAG Supporters

Here is an update which we hope will clarify the situation on the major planning applications at Kings Road, Beldam Bridge Road and Benner Lane.

Land south of Kings Road

William Lacey applied for 84 dwellings with access via Rose Meadow (14/0532). Due to non-determination by Surrey Heath Borough Council, William Lacey went to an Appeal Hearing by the Inspectorate and this outline application was approved by the Inspector.

- WEAG asked SHBC to contest the Inspector's decision, believing it to be fundamentally flawed and should be contested.
- SHBC refused to do so. Consequently, the development will go ahead.

Where from here? - We must be alert and ready to make representations when the reserved matters, more detailed plans on layout, building size/design & access are submitted.

Land north of Beldam Bridge Road

Taylor Wimpey submitted an outline application for up to 85 dwellings with access from Beldam Bridge Road (14/0594). The application included the provision of adjoining land for public recreation: a SANG (Suitable Alternative Natural Greenspace).

Due to non-determination by Surrey Heath Borough Council, Taylor Wimpey went to the Inspectorate for an Appeal Inquiry. This appeal was put on hold by TW – **see below under Now**.

Then a 2nd application identical to the first (15/0884) was lodged, in view of the Inspector's decision on William Lacey. This application was approved at the Planning Applications Committee (PAC) meeting on 10 February, because of the precedent of the William Lacey decision. However, the validity of the decision is questionable, on several grounds, including planning reasons, and no acceptable design of the access to the site.

- WEAG asked for the meeting on 10 February 2016 to be reconvened because of the format and conduct of the planning committee. WEAG's request was rejected by SHBC.
- A legal challenge by a resident has been turned down by the High Court.

Then a 3rd application (16/0323) was lodged, identical to the previous two except without the adjoining SANG recreational land. SHBC agreed this could be provided at Chobham Meadows. The SANG is designed to provide mitigation to protected sites such as the Special Protection Area (SPA) on Brentmoor Heath. The choice of Chobham Meadows is laughable because a 2.5-mile drive to the SANG cannot provide such protection for the SPA. This is not acceptable.

WEAG has written a letter of strong objections to the SHBC Case Officer, Duncan Carty, on this third application 16/ 0323 confirming that the objection points put forward on the previous two applications still hold, and adding further planning objections which our legal advisor has unearthed

This was followed up by WEAG with 'additional points of objection' including an appendix on the flawed decision by the Inspector in agreeing the outline development on land South of Kings Road.

On 23 May WEAG with the continuing assistance of our legal adviser, wrote to the Inspector at PINS asking that the Secretary of State determines the outcome of this appeal on the first application 14/0594 as this appeal raised issues of wider national importance.

Now: In view of the legal challenge to SHBC's approval of TW's second application, TW re-opened its appeal concerning the **first application 14/0594** and downgraded by the Inspectorate to a Hearing rather than an Inquiry in the interest of local people. The appeal has begun with a closing date for representations of 16 June. The Appeal Hearing is scheduled for Tuesday 19 July with the venue to be confirmed though it is most likely to be at SHBC Chambers. Please make this a diary date.

Note - On 11 June WEAG submitted 'additional points of objection' to the Planning Inspector in relation to this re-opened appeal. These include the evidence that the Inspector's approval of the development south of Kings Road was flawed in law and cannot be applied as a binding precedent for another site. It advises that the application is contrary to established planning policy, and attaches an appendix where these points are examined in detail. It also refers the Inspector to the PAC's decision taken on the Windlesham site which had similar safeguarded 'reserve' land as West End, and was refused.

Land North & East of Malthouse Farm

Southern Heritage Developments applied to build 95 dwellings here (15/0445).

This application is different from the other applications as it is a full application with no reserved matters.

- SHBC refused this application on similar grounds to the original William Lacey and Taylor Wimpey applications
- Refusal was also for reasons of layout and density. Too many dwellings would be crammed into the three fields; they would not integrate with the surrounding settlement; the development would not improve the character and integrity of the rural environment; and it would harm the setting of the Grade II listed Malthouse Farm buildings. SHBC employed external planning consultants Vial Williams* to produce a report on these aspects; many of you will have received a copy or it can be downloaded from the Malthouse Farm section of WEAG's website at www.weag.info.
- Appeal – the developer has appealed against SHBC' refusal, and this is now with the Planning Inspectorate. The appeal Hearing will be on Tuesday 19 July. We hope as many West End residents as possible will attend.
- Regrettably, SHBC in their documents sent to the Inspectorate have withdrawn their objections based on planning grounds *, because of the precedent set by the Inspector's decision on the William Lacey application for development on land south of King's Road. SHBC's objections now only relate to the arguments in bullet point 2 above, as presented in the Vial Williams report.
- WEAG has written to the Inspector stating that the planning reasons for rejecting the application still hold, and that SHBC is wrong to withdraw them. We have argued that the flawed William Lacey decision should not be used as a precedent. We have submitted detailed reasons, similar to those for the Taylor Wimpey appeal as follows:

On 6 May WEAG advised SHBC, Councillors and Officers that we are asking the Secretary of State to Recover the current Appeal. On 6 May WEAG, with the continuing assistance of our legal adviser, WEAG asked that the Secretary of State determines the outcome of this appeal on the first application 14/0594 as this appeal raised issues of wider national importance. On 14 May WEAG, submitted additional points o objections to the Inspector at PINS.

WEAG intends to participate in the Appeal Hearing, to help put across the resident's views.
We hope that as many residents as possible will attend.

With best regards

Beulah Kingston
Chair, West End Action Group (WEAG)